

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

SHEENA MORGAN,

Plaintiff,

v.

STATE OF TEXAS, et al.,

Defendants.

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CIVIL ACTION NO. H-06-cv-2068

MEMORANDUM AND ORDER

Plaintiff has filed a Notice of Appeal (Doc. No. 11) of this Court's Memorandum and Order of July 21, 2006, dismissing Plaintiff's claims with prejudice. A notice of appeal must be filed within thirty days after the judgment appealed from is entered. *See* Fed. R. App. P. 4(a)(1)(A). However, Plaintiff's Notice of Appeal was not filed until September 15, 2006, after the applicable thirty-day window expired. Plaintiff appears to ask for an extension of time to appeal.

Under Federal Rule of Appellate Procedure 4(a)(5)(A), a district court may extend the time to file a notice of appeal if the party moves for an extension within sixty days after the judgment appealed from is entered *and* that party shows excusable neglect or good cause. While Plaintiff's Notice of Appeal was filed within sixty days of this Court's Order, Plaintiff makes no showing of excusable neglect or good cause. Thus, Plaintiff is **ORDERED TO SHOW CAUSE** as to why her Notice of Appeal was not timely filed.

Plaintiff shall have until April 20, 2007, to comply with this Order.

IT IS SO ORDERED.

SIGNED this 30th day of March, 2007.

A handwritten signature in black ink, appearing to read "Keith P. Ellison". The signature is written in a cursive style with a large initial "K" and a long, sweeping underline.

KEITH P. ELLISON
UNITED STATES DISTRICT JUDGE

TO INSURE PROPER NOTICE, EACH PARTY WHO RECEIVES THIS ORDER SHALL
FORWARD A COPY OF IT TO EVERY OTHER PARTY AND AFFECTED NON-PARTY
EVEN THOUGH THEY MAY HAVE BEEN SENT ONE BY THE COURT